

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

SPIRIT AEROSYSTEMS, INC.,

Plaintiff,

v.

W. KENNETH PAXTON, *in his official
capacity as Attorney General of Texas, and*
JANE NELSON, *in her official capacity as
Secretary of State of Texas,*

Defendants.

§
§
§
§
§
§
§
§
§
§

1:24-cv-472-DII

ORDER

On this date, the Court issued an order adopting the report and recommendation of United States Magistrate Judge Mark Lane concerning Plaintiff Spirit AeroSystems, Inc.’s (“Plaintiff”) Motion for Summary Judgment and Permanent Injunction, (Dkt. 17), and Defendant W. Kenneth Paxton’s (“Defendant”) Cross Motion for Summary Judgment, (Dkt. 15). (R. & R., Dkt. 52). The Court granted Plaintiff’s Motion for Summary Judgment and Permanent Injunction, (Dkt. 17), and denied Defendant’s Cross Motion for Summary Judgment, (Dkt. 15). (Order, Dkt. 56).

The Court now renders final judgment pursuant to Federal Rule of Civil Procedure 58.

As set forth in its Order, (Dkt. 56), the Court **DECLARES** that the RTE Statute, TEX. BUS. ORGS. CODE §§ 12.151–12.156, is facially unconstitutional.

IT IS FURTHER ORDERED that Defendant W. Kenneth Paxton and his agents are permanently **ENJOINED** and **RESTRAINED** from:

1. Enforcing or attempting to enforce the Request to Examine issued by the Office of the Texas Attorney General on March 28, 2024;
2. Holding or attempting to hold Plaintiff in noncompliance for not producing documents in response to the March 28, 2024 Request, or imposing or attempting to impose any

consequences on Plaintiff for not producing documents in response to the March 28, 2024 Request;

3. Enforcing or attempting to enforce the Request to Examine issued by the Office of the Texas Attorney General on May 13, 2024;
4. Holding or attempting to hold Plaintiff in noncompliance for not producing documents in response to the May 13, 2024 Request, or imposing or attempting to impose any consequences on Plaintiff for not producing documents in response to the May 13, 2024 Request; and
5. Issuing any other Requests to Examine to Plaintiff pursuant to Texas Business Organizations Code §§ 12.151–12.156.

As nothing remains to resolve, **IT IS ORDERED** that the case is **CLOSED**.

SIGNED on December 9, 2024.

A handwritten signature in blue ink, appearing to read "Robert Pitman", written over a horizontal line.

ROBERT PITMAN
UNITED STATES DISTRICT JUDGE